



CHAMBERLAIN, HRDLICKA, WHITE, WILLIAMS & AUGHTRY

A Partnership of Professional Corporations

Attorneys at Law

WILLIAM S. HELFAND
SHAREHOLDER
DIRECT: 713.654.9630
BILL.HELPAND@CHAMBERLAINLAW.COM

1200 SMITH STREET, SUITE 1400
HOUSTON, TEXAS 77002-44967
713.658.1818 800.342.5829
FAX: 713.658.2553
CHWWM@CHAMBERLAINLAW.COM

HOUSTON
ATLANTA
PHILADELPHIA
SAN ANTONIO
DENVER

March 11, 2016

Via ECF

Judge Kathleen Tomlinson
United States District Court
Eastern District of New York
100 Federal Plaza
Central Islip, New York 11722

Re: C.A. No. 2:15-CV-06103 (DRH) (AKT); *Willie Guerrero v. GC Services Limited Partnership*; in the U.S. District Court for the Eastern District Court.

Your Honor:

I represent Defendant GC Services Limited Partnership in the above-referenced matter. I am writing to respectfully request an adjournment of the Initial Conference recently re-set for April 4, 2016 at 2:00 pm. This is my client's first and only request for adjournment or extension of the Initial Conference.

I will be unable to attend the Initial Conference on April 4, 2016, because I am lead counsel for two (2) trial settings in Houston, Texas scheduled to begin during the two-week term on the same date as the Initial Conference. They are: 1) Cause No. 2014-35153; *Thomas Groft, et al v. City of Pasadena*; In the 334th Judicial District Court of Harris County, Texas; and 2) Cause No. 2013-02390; *National Boss Hog Energy Services, LLC v. Jim Hart and Lanie Hart*; In the 61st Judicial District Court of Harris County, Texas. Both cases have been previously reset and one of the two is likely to proceed to trial during the term beginning April 4, 2016 and ending April 15, 2016. While either or both cases may start trial at any time during that term, I will not likely know until as late as April 1, 2016 whether either case is called for April 4th.

Prior to filing this letter motion, I conferred in good faith with Plaintiff's counsel regarding an agreed adjournment of the Initial Conference. Plaintiff's counsel has consented to an adjournment of the Initial Conference to any date prior to April 21, 2016. Unfortunately, my earliest availability for an Initial Conference is April 25, 2016, as my wife will be out of town the week of April 18 and I therefore have sole child-care responsibilities in Houston that entire week. I have previously scheduled depositions during the week of March 28, 2016 and will be unable to move these depositions until after April 25, 2016.

An adjournment of the Initial Conference will not affect any other scheduled date in this matter. The Court has yet to enter a Scheduling Order, and the parties will be able to discuss the proposed schedule with the Court at the Initial Conference. Meanwhile, the parties are currently

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engaged in discovery. Therefore, I respectfully request the Court grant an adjournment of the Initial Conference to April 25, April 26, or April 27, 2016 or another date of the Court's choosing.

Thank you for your consideration of this Request.

Respectfully,



William S. Helfand

WSH:lg

cc: Craig Sanders
Barshay Sanders, PLLC

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